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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/032,451  | 01/02/2002  | Tae-myun Kim         | 1293.1276           | 6584             |
| 21171   | 7590        | 09/02/2004           | EXAMINER            |                  |
| STAAS & HALSEY LLP<br>SUITE 700<br>1201 NEW YORK AVENUE, N.W.<br>WASHINGTON, DC 20005 |             |                      | MENDOZA, ROBERT J   |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 3713                |                  |

DATE MAILED: 09/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/032,451

Applicant(s)

KIM ET AL.

Examiner

Robert J Mendoza

Art Unit

3713

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 May 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

**Claim Rejections - 35 USC § 102**

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Hoshino et al (USPN 5,742,571).**

Hoshino, in FIGS. 1-12, col. 2:30-67, col. 3:1-60, col. 9:20-67, col. 10:1-67 and col. 11:1-22, discloses a roulette driving apparatus used with a roulette-type disc changeable player rotating a roulette with a gear provided thereon and where a plurality of discs are loaded comprising a motor having a rotation shaft, a worm gear installed on the rotation shaft of the motor and a driving gear rotating while geared to the worm gear and to the gear provided on the roulette, transmitting power generated from the motor to the roulette Hoshino, in FIGS. 1-12, col. 2:30-67, col. 3:1-60, col. 9:20-67, col. 10:1-67 and col. 11:1-22, discloses a reproducing wherein once one of the discs is selected, the roulette rotates to position the selected disc on the reproducing unit. Hoshino, in FIGS. 1-12, col. 2:30-67, col. 3:1-60, col. 9:20-67, col. 10:1-67 and col. 11:1-22, discloses transmitting power from a motor by directly applying a force from a worm gear installed on a rotation shaft of the motor to a drive gear engaged with the worm gear and the gear provided on the roulette. Hoshino, in FIGS. 1-12, col. 2:30-67, col. 3:1-60, col. 9:20-67, col. 10:1-67, col. 11:1-22, col. 17:60-67, col. 18:1-67, col. 19:1-67, col. 20:1-67, col.

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21:62-67 and col. 22:1-20, discloses a motor, a worm gear driven by the motor and a driving gear to transmit power generated from the motor to the roulette, wherein the driving gear rotates in contact with the worm gear and the gear provided on the roulette. Hoshino, in FIGS. 1-12, col. 2:30-67, col. 3:1-60, col. 9:20-67, col. 10:1-67, col. 11:1-22, col. 17:60-67, col. 18:1-67, col. 19:1-67, col. 20:1-67, col. 21:62-67 and col. 22:1-20, discloses a recording and/or reproducing unit, wherein the roulette rotationally positions a selected disc from the plurality loaded in the roulette on the recording and/or reproducing unit.

### **Response to Arguments**

Applicant's arguments with respect to claims 1-5 have been considered but are moot in view of the new ground(s) of rejection.

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to R. Mendoza whose telephone number is (703) 305-7345. The examiner can normally be reached on Monday-Friday from 8:00am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the primary examiner, John Hotlaing, can be reached at (703) 3058-0780. The USPTO official fax number is (703) 872-9306.

RM

RM  
August 30, 2004

JOHN M. HOTLAING, II  
PRIMARY EXAMINER

